

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 17, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-23567 - APPLICANT/OWNER: COLEMAN-TOLL, LP

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Rezoning applications (ZON-2184, ZON-1520 and ZON-3241), the Cliff's Edge Master Development Plan and Design Standards, and the Cliff's Edge Development Agreement, as well as the conformance to the submitted maps date-stamped: Aug. 21, 2007.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. An amended lot fit analysis shall be submitted prior to the recordation of the Final Map.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

7. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

8. Coordinate with the City Surveyor to determine an appropriate mapping method for this site; comply with the recommendations of the City Surveyor.
9. Relocate the existing public sewer lines in conflict with the proposed realigned streets concurrent with development of this site. A Petition of Vacation, such as VAC-23569, shall record prior to or concurrent with the recordation of a Final Map for this site.
10. Grant pedestrian access easements for all sidewalks located outside of the public street right-of-way.
11. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
12. If not already constructed by the Master Developer, construct the full width street improvements on Puli Road adjacent to this site and complete any incomplete half street improvements on Shaumber Road concurrent with development.
13. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way on Puli Road and Shaumber Road adjacent to this site concurrent with development of this site.
14. If not obtained at the time of development by the Master Developer, submit an Encroachment Agreement for all landscaping and private improvements in the Puli Road and Shaumber Road public rights-of-way adjacent to this site.
15. The distance from the face of the garage door to the private drive shall be a minimum distance of 18 feet or a maximum distance of 5 feet to prevent a vehicle in the driveway from encroaching into the vehicular or pedestrian travel corridor.
16. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.

18. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
19. Private drive aisles, if any, shall be labeled as "private drives". Private streets and private drives must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. Show and dimension the common lots and adjacent right-of-way on the Final Map(s) for this site as recorded by the Cliff's Edge parent map and include the recorder's information (subdivision name, book and page number).
22. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
23. Site development to comply with all applicable conditions of approval for previous zoning actions, Master Drainage Studies, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, the "Sight Distance Along Shaumber Road within Cliff's Edge" design document dated March 4, 2004 and all other applicable site-related actions.
24. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Major Amendment to an Approved Tentative Map (TMP-57) for a 199 lot single family subdivision on 33.2 acres adjacent on Elkhorn Road, between Puli Road and Shaumber Road.

Companion requests for a Vacation (VAC-23569) of public sewer and drainage easements and a Waiver to Title 18 (WVR-23568) have also been filed. This is a amendment request stems from the removal of alleyways and the related change in rear-loading housing product to standard front-loading single family dwellings.

As the overall change in net density is insignificant and within the Cliff's Edge Medium-Low Density eight dwelling-units-per-acre limit and the provided open space is above the Cliff's Edge requirements, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission and staff recommended approval on 09/26/02. The effective date of this annexation was 02/14/03.
03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on 02/13/03.
07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of ZON-1520. The Planning Commission and staff recommended approval on 06/12/03.

02/18/04	The Cliff's Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission and staff recommended approval on 01/08/04.
06/16/04	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliff's Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliff's Edge parent Tentative Map, as approved by the Planning Commission on March 11, 2004.
3/02/05	The City Council approved a Request for a Tentative Map for a 234-lot Single-Family Residential Subdivision and Waivers of Title 18.12.105 for a 350-foot private drive where a maximum of 200 feet is allowed and a Waiver of Title 18.12.160 for internal intersection offsets of approximately 84 feet and 104 feet where a minimum of 125 feet is required on 40.3 acres adjacent to the northwest corner of Elkhorn Road and Shaumber Road
8/03/05	The City Council approved a Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan to change land use designations from: ML (Medium Low density residential) to: L (Low Density Residential) and RSL (Residential Small Lot); from: L (low density residential) to: ML (Medium Low Density Residential); and from: RSL (Residential Small Lot) to: ML (Medium Low Density Residential); and to modify the following sections of the master development plan: sections 2.2, 2.3.5, 2.3.6 and 2.3.7; to modify or add to the design guidelines as follows: section 3.1.1, 3.2.3b, 5.10, 5.10.1, 6.2.1, 6.2.2, 6.2.3, 7 and exhibits 2, 7a,7b, 8a, 14a, 14b, 14c, 15 and 17 on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road
11/16/05	The City Council approved a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan And Design Guidelines to establish standards for rear loaded residential small lot housing products and to add section 3.2.5b to the design guidelines on 1,156 acres including the subject site. The Planning Commission and staff recommended approval.
4/25/06	A Final Map for a 10-lot single-family residential subdivision on 4.28 acres adjacent to the west side Shaumber Road, north of Elkhorn Road was recorded as "Franklin Park at Providence Phase I". NOTE: This area is excluded from the proposed amended map request.
8/29/06	A Final Map for a 109-lot single-family residential subdivision on 16.60 acres adjacent to the west side Shaumber Road, north of Elkhorn Road was recorded as "Franklin Park at Providence Phase II". NOTE: This area is included with the proposed amended map request.

09/13/07	<p>The Planning Commission recommended approval of companion items WVR-23568 and VAC-23569 concurrently with this application.</p> <p>The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #41/ss).</p>
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<i>Related Building Permits/Business Licenses</i>	
NA	Various permits have been pulled for the eight model homes and the related model home sales structures that make a portion of the excluded area.
<i>Pre-Application Meeting</i>	
7/20/07	A pre-application meeting was held to discuss the requirements to amend an approved Tentative Map in the Cliff's Edge Master Planned Community, and the specifics of the related Waiver and Vacation requirements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
8/9/07	<p>A field check was performed by the Planning and Development staff with the following observations:</p> <ul style="list-style-type: none"> Existing perimeter walls in compliance with the Cliff's Edge standards Eight models homes in the subdivision with a model homes sales structure. Noticeable grade change sloping downwards from west to east and from north to south.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	33.2 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development)	PD (Planned Development) [ML (Medium Low Density Residential) – Cliff's Edge Land Use]
North	Undeveloped	PCD (Planned Community Development)	PD (Planned Development) [ML (Medium Low Density Residential) – Cliff's Edge Land Use]

South	Undeveloped/Single Family Dwellings	PCD (Planned Community Development)	PD (Planned Development) [ML (Medium Low Density Residential) – Cliff’s Edge Land Use]
East	Single Family Dwellings	PCD (Planned Community Development)/ School Park OS	PD (Planned Development) [ML (Medium Low Density Residential) – Cliff’s Edge Land Use]
West	Undeveloped - BLM	BLM - RC (Resource Conservation)	Unincorporated Clark County

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Cliff’s Edge Master Plan	X		Y
PD Planned Development District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
PD Planned Development District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Pursuant to the Cliff’s Edge Master Development Plan and Design Guidelines, the following standards shall apply for the Medium-Low Residential Land Use:

Standards	Required
Front – Living Area or Porch <ul style="list-style-type: none"> Single Story Element Two Story Element 	10 Feet 10 Feet for up 60% wall plan, otherwise 15 Feet
Front-Entry Garage	Less than 5 Feet or greater than 18 Feet
Turn-In Garage	10 Feet
Side <ul style="list-style-type: none"> Interior Lots Perimeter Lots & Parcel Entry (Siding to any community level roadway or open space) 	3 Feet 5 Feet for single story element with no gable end, or 10 feet for two story element or single story element with a gable end

<p>Corner Side</p> <ul style="list-style-type: none"> • Single Story Element • Two Story Element 	<p>10 Feet from living space, 5 feet from porch 10 Feet</p>
<p>Rear</p> <ul style="list-style-type: none"> • Interior Lots • Perimeter Lots (Backing to any community level roadway or open space) 	<p>15 Feet except that 10 Feet allowed for up to 50% of the product width</p> <p>Same as Interior Lots, except that no more than three adjacent dwellings may have the same rear setback; otherwise an additional offset of at least 5 Feet is required</p>
<p>Rear Patio Covers</p>	<p>10 Feet</p>
<p>Accessory Structures</p> <ul style="list-style-type: none"> • Less Than 14' Bldg. Ht. • Greater Than 14' Bldg. Ht. • Min. Building Separation 	<p>Front: 10 Feet Side: 3 Feet Rear: 3 feet</p> <p>Front: 15 Feet Side: 5 Feet Rear:</p> <ul style="list-style-type: none"> • 5 Feet if no window opening facing rear PL • 10 Feet if window openings face rear PL <p>• 6 Feet</p>
<p>Courtyard Walls</p> <p>* Less than 32 inches in height</p> <p>* Greater than 32 inches in height</p>	<p>Front: 5 Feet Interior Side: 0 Feet Corner Side: 0 Feet</p> <p>Front: 10 Feet Interior Side: 0 Feet Corner Side: 5 Feet</p>
<p>Maximum Building Height</p> <ul style="list-style-type: none"> • Main Structure • Accessory Structure Single Story Two Story 	<p>35 Feet</p> <p>14 Feet</p> <p>35 Feet</p>

Pursuant to The Cliff's Edge Master Development Plan and Design Guidelines, Medium Low Density Residential land use is required to provide square feet of open space.

<i>Open Space – R-PD only</i>					
<i>Total Units</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
	<i>Ratio</i>	<i>Area</i>	<i>Ratio</i>	<i>Area</i>	
199	25 SF: Unit	4,975 SF	25 SF: Unit	10,133 SF*	Y

**Shown as Park Common Area (Common Lot C)*

<i>Franklin Park at Providence (POD 209)</i>	<i>Approved – (TMP-5798)</i>	<i>Proposed – (TMP 23567)</i>
<i>Area</i>	40.3 Gross Acres	33.2 Gross Acres
<i>Lots</i>	234 lots	199 lots
<i>Density</i>	5.80 DU/AC	5.99 DU/AC
<i>Open Space</i>	47,300 SF	10,133 SF

ANALYSIS

- **Cliff's Edge Master Plan**

The development within the Cliff's Edge master plan area is controlled by the Cliff's Edge Master Development Plan and the Cliff's Edge Design Guidelines. The Master Development Plan was required for the approval of PD (Planned Development) zoning, which was applied to the area concurrently with the approval of the Master Development Plan and the Design Guidelines. The applicant has provided a copy of the Design Review Committee (DRC) approval letter providing documentation of the additional requirement of compliance to the Cliff's Edge Community Design Guidelines for this proposed amendment.

- **PD Planned Development District**

Pursuant to Title 19.06.050, the development standards within a PD (Planned Development) zoning district are established by the Master Development Plan. The development standards for the Cliff's Edge area are established through the approved Cliff's Edge Master Development Plan, and with the approval of proposed modifications to the area's land use categories.

FINDINGS

- **General information (Residential/Commercial)**

The applicant is seeking a Major Amendment to the approved Tentative Map (TMP-5798) to eliminate the proposed alleyways and to reduce the amount of units in order to accommodate a product change. The initial Tentative Map (TMP-5798) was approved for 234 units. After the recordation of the Final Maps, the proposed revision has reduced the overall unit count to 199 units covering 33.2 gross acres. Access to the subdivision is from Franklin Park Avenue via Shaumber Road. All streets within the subdivision are shown as 39 foot in width.

- **Cross Sections**

The submitted north/south cross sections show the natural grade to be between 0% and 2% across this site. Per Table A Subdivision Code 18.08.110 a development with natural slope between 0% and 2%, is allowed a maximum 4-foot retaining wall. The exterior retaining walls have been installed per previous approvals prior to this amendment request.

The submitted east/west cross sections depict maximum natural grade between 2% and 4% across this site. Per Table A Subdivision Code 18.08.110 a development with natural slope between 2% to 4%, is allowed a maximum 6-foot retaining wall. None of the proposed retaining walls are greater than 5-foot in height therefore complying with Title 18. As stated previously, all exterior walls are installed based upon earlier approvals prior to this request.

- **Trails**

There are no affected Trails located adjacent to this proposed subdivision. Shaumber Road shall be developed according to the standards of the Thematic Parkway Loop as described in the Cliff's Edge Design Standards.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 37 by Planning Department

APPROVALS 1

PROTESTS 0